IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

THURSDAY, THE 27TH SEPTEMBER 2007 / 5TH ASWINA 1929

Tr.P(C).No. 269 of 2006()

AS.242/2003 of 1ST ADDL.DISTRICT COURT, KOZHIKODE
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PETITIONER.

MALAYIL AMMUKUTTY,
D/O.IMBICHAN, AGED 65 YEARS, KRISHNALAYAM,
BEYPORE AMSOM, DESOM, KOZHIKODE TALUK.

BY ADV. SRI.K.C.CHARLES
SRI.A.BALAGOPALAN
SRI.SANEESH KUMAR.K.

RESPONDENTS:
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1. **K.SAIDALAVI, S/O.KANNANARI MOHAMMED KUTTY, AGED 45 YEARS, KARVANDHURUTHI AMOM, DESOM, KOZHIKODE TALUK.**

2. **MALAYIL RAVEENDRAN, S/O.MALAYIL IMBICHAN, AGED 55, BEYPORE AMSOM, DESOM, KOZHIKODE TALUK.**

3. **MALAYIL SREEDHARAN, S/O.IMBICHAN, AGED 61, MALAYIL HOUSE, KADALUNDI AMSOM, PAZHANJUR DESOM, KOZHIKODE DISTRICT.**

4. **MALAYIL SAROJINI, D/O.IMBICHAN, AGED 67, VELUTHEDATHU HOUSE, KODAM AMSOM, DESOM, KOZHIKODE DISTRICT.**

5. **C.CHANDRAPRABHA, W/O.C.SUDHAKARAN, AGED 46, CHANGOTTU HOUSE, P.O.ARIYALLOOR, VIA PARAPPANANGADI.**

6. **K.J.JEEJA KUMARI, W/O.K.J. SOMANATHAN, AGED 45, KALAMKOLLI THAZHAM HOUSE, NETAJI NAGAR ROAD, P.O. KOTTOOLI, KOZHIKODE 16.**

**7. K.SUJAYAKUMARI, W/O.K.RADHAKRISHNAN,
AGED 43, MELEVALAPPIL HOUSE, P.O.MAKKADA,
KAKKODI, KOZHIKODE 673 617.**

**8. THE FEDERAL BANK LIMITED,
BEYPORE BRANCH, REPRESENTED BY ITS
BRANCH MANAGER.**

**9. THE UNION BANK OF INDIA,
CALICUT MAIN BRANCH, CHEROOTTY ROAD,
KOZHIKODE, REPRESENTED BY ITS BRANCH MANAGER.**

**10. V.K.KUTTAN, FATHERS NAME NOT KNOWN TO
THE PETITIONERS, AGED 78 YEARS, VELUTHEDATH HOUSE,
MANNAKKADAVU, PANTHEERANKAVU, KODAL AMSOM,
DESOM.**

**11. VIJAYAN, S/O.KUTTAN, AGED 43 YEARS,
VELUTHEDATHU HOUSE, MANNAKKADAVU,
PANTHEERANKAVU, KOODAL AMSOM, DESOM.**

**12. VIDHYADHARAN, S/O.KUTTAN, AGED 38 YEARS,
VELUTHEDATHU HOUSE, MANNAKKADAVU, PANTHEERANKAVU,
KODAL AMSOM, DESOM.**

**R9 BY ADV. SRI.A.S.P.KURUP, SC, UBI
R1 BY SRI.P.V.KUNHIKRISHNAN
R4, R11 & R12 BY SRI.C.P.MOHAMMED NIAS
R8 BY SRI.N.P.SAMUEL**

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON I.A. 2263 OF 2007
IN
TR.P.C. NO.269 OF 2006

DISMISSED

27/9/07 **SD/- M.N. KRISHNAN, JUDGE.**

[True Copy]

P.A. TO JUDGE.

M.N. KRISHNAN, J.

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Tr.P.C. NO. 269 OF 2006

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Dated this the 27th day of September, 2007.

J U D G M E N T

This Transfer Petition is filed seeking to transfer A.S.242/03 and A.S.243/03 pending before the District Judge, Kozhikode to be transferred to this Court for hearing along with R.F.A.61/04 pending before this Court. It is submitted that three cases were disposed of by a common judgment and as per the pecuniary jurisdiction, two appeals are filed before the District Court and one appeal before this Court. So, interest of justice requests that all the appeals are heard together by this Court.

2. Therefore, the District Judge, Kozhikode is directed to transfer A.S.242/03 and A.S.243/03 pending before that Court to this Court to be heard along with RFA 61/04 which is pending before this Court . On receipt of the

same the Registry is directed to post all the three cases together. The District Judge shall also inform the respective counsel appearing before the lower Court regarding the transfer.

The Tr.P.C. is disposed of accordingly.

M.N. KRISHNAN, JUDGE.

ul/-